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Attorneys for Defendant Google LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER
CASTILLO, and MONIQUE TRUJILLO,
individually and on behalf of all similarly
situated,

Plaintiffs,

v.

GOOGLE LLC,
Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**DECLARATION OF JONATHAN TSE IN
SUPPORT OF JOINT STIPULATION AND
[PROPOSED] ORDER EXTENDING
TIME FOR GOOGLE TO SUBMIT
OPPOSITION TO PLAINTIFFS' MOTION
FOR LEAVE TO AMEND COMPLAINT
(DKT. 395) AND DECLARATION IN
SUPPORT OF PLAINTIFFS' MOTION TO
SEAL (DKT. 394)**

Judge: Honorable Yvonne Gonzalez Rogers

1 I, Jonathan Tse, declare as follows:

2 1. I am a member of the bar of the State of California and an attorney with Quinn
3 Emanuel Urquhart & Sullivan, LLP, attorneys for Defendant Google LLC (“Google”) in this action.
4 I make this declaration of my own personal, firsthand knowledge, and if called and sworn as a
5 witness, I could and would testify competently thereto.

6 2. Pursuant to Civil Local Rule 6-2 and 7-12, I submit this declaration in support of the
7 Joint Stipulation and [Proposed] Order Extending Time for Google to Submit Opposition to
8 Plaintiffs’ Motion for Leave to Amend Complaint (Dkt. 395) and Declaration in Support of
9 Plaintiffs’ Motion to Seal (Dkt. 394) (“Stipulation”).

10 3. On February 3, 2022, Plaintiffs filed their Administrative Motion To Consider
11 Whether Portions Of Motion for Leave To Amend Complaint Should Be Sealed (“Motion to Seal”)
12 (Dkt. 394) and their Motion for Leave To Amend Complaint (“Motion for Leave”) (Dkt. 395).

13 4. On February 3, 2022, Google received unredacted copies of Plaintiffs’ Motion for
14 Leave and exhibits, approximately 43 of which were designated to be sealed and submitted with
15 Dkts. 394, 395.

16 5. Pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, the current deadline
17 for Google to respond to the Motion for Leave (Dkt. 395) is by Thursday, February 17, 2022.

18 6. Pursuant to Civil Local Rule 79-5(e), the current deadline for Google, as the
19 Designating Party to Plaintiffs’ Motion to Seal (Dkt. 394), to establish that such designated material
20 is sealable, is by Thursday, February 10, 2022.

21 7. On February 7, 2022, the Parties met and conferred, and agreed that an extension of
22 time of 7 days will provide Google with sufficient time to review the materials in Plaintiffs’ Motion
23 to Seal that Google designated as confidential and to submit its declaration in support its designated
24 material in the filings (Dkts. 394). The Parties also agreed that an extension of time of 8 days will
25 provide Google with sufficient time to respond to Plaintiffs’ Motion for Leave (Dkt. 395).

26 8. The Court has previously modified the case schedule by extending Plaintiffs’
27 deadline to file a brief response to the affidavit and declaration submitted in response to the Court’s
28 request (Dkt. 110), the deadline for special master submissions (Dkt. 206), and to submit joint case

1 management statement (Dkt. 388), and has also granted the parties' stipulations to extend the time
2 to answer the complaint (Dkt. 42), submit protective order and ESI order (Dkt. 72), submit motion
3 to dismiss briefing (Dkt. 73), submit proposed redactions to the April 27, 2021 hearing transcript
4 (Dkt. 163) and June 2, 2021 hearing transcript (Dkt. 246), submit a declaration in support of
5 Plaintiffs' motion to seal (Dkts. 294, 367), file Google's motion for protective order (Dkt. 301),
6 respond to third-party subpoenas (Dkts. 347-50), and answer the Second Amended Complaint (Dkt.
7 377). The Court has further granted the parties' stipulations setting a briefing schedule for Google's
8 motion to dismiss Counts Six and Seven of the Second Amended Complaint (Dkt. 175) and
9 continuing several discovery and motion deadlines (Dkts. 261, 377), including the deadlines for the
10 close of fact discovery, opening and rebuttal expert reports, close of expert discovery, filing motion
11 for class certification, and the class certification hearing.

12 9. The 7-day and 8-day extensions will not affect the schedule in this case.

13 I declare under penalty of perjury of the laws of the United States that the foregoing is true
14 and correct. Executed in San Francisco, California on February 8, 2022.

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16 DATED: February 8, 2022

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

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18 By /s/ Jonathan Tse
Jonathan Tse

19 *Attorney for Defendant*
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